

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO, *et. al.*,
Debtor

PROMESA Title III

No. 17-03283 -LTS

(Jointly Administered)

LUIS A. RIVERA SIACA

Movant,

ECF Nos. 21408; 23145 and 23826

v.

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO
as representative of
THE COMMONWEALTH OF PUERTO RICO, *et al.*
Debtors

ECF Nos. 21408; 23145 and 23826

INFORMATIVE MOTION

TO THE HONORABLE COURT:

COMES NOW, Luis A. Rivera Siaca (“LARS”), through its undersigned counsel, and respectfully states and requests:

1. As it appears from the docket of this case¹, LARS has two lease agreements with the Department of Education of the Commonwealth of Puerto Rico (the “PRDE”), pursuant to which the PRDE had been occupying and utilizing two properties belonging to LARS (the

(a) As to the First Contract at **ECF Nos. 21408, 21509, 21706, 22338 and 23249**
(b) As to the Second Contract at **ECF Nos. 23145, 23210, 23249 and 23250**

“Properties”) necessary for the PRDE’s operations without making any payments to LARS, owing LARS a substantial amount in administrative rent, the Financial Oversight and Management Board for Puerto Rico (the “Board”) averring that the two leases were unenforceable because they were executed without its prior review policy established under PROMESA Section 204(b)(2) and the Board had not authorized the PRDE to pay LARS for that reason.

2. On March 17, 2023, LARS filed an *Urgent Motion as to Decision on Pending Matters* (ECF No. 23826), regarding ECF Nos. 21408 and 23145, which is still pending.

3. Due to the PRDE’s continued occupancy of the Properties without any payment to LARS, on March 29, 2023, LARS was forced to file an eviction proceeding against the PRDE in the case styled *Luis A. Rivera Siaca, Enery Pilar Ortiz Jiménez and their Conjugal Partnership v. Eliezer Ramos Parés in his official capacity as Secretary of the Department of Education of the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico*, Case No. SJ2023CV02787, with the Court of First Instance of Puerto Rico Superior Section of San Juan, sustaining being owed \$4,658,457.70 by the PRDE as of February 28, 2023.

4. On May 1st, 2023, the PRDE made an initial payment of \$1,922,785.29 to LARS, and after prolonged negotiations, on June 30, 2023, a final payment of \$3,078,795.28 was issued to LARS for a combined total payment of \$5,001,580.57, covering the rent under the two contracts until June 30, 2023.

5. Due to the PRDE’s payment to LARS, the captioned contested matter has become academic.

WHEREFORE, it is respectfully requested that an order be entered deeming the captioned matter moot.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all ECF participants.

San Juan, Puerto Rico this 7th day of July 2023

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